REMARKS

By the foregoing Amendment, claims 1-5 have been canceled without prejudice or disclaimer and claim 6 has been amended. For the reasons discussed at the interview, and in view of the foregoing amendments and following remarks, Applicants respectfully request that the Examiner reconsider all outstanding rejections, and that they be withdrawn.

Rejection Under 35 U.S.C. §102(e)

At paragraph 5 of the Office Action, the Examiner rejected claims 9-13 as being anticipated by U.S. Patent No. 6,133,871 to Krasner ("Krasner"). Specifically, the Examiner relied on the process outlined in FIG. 3 of Krasner.

Applicants submit that Krasner does not disclose all of the claimed elements of Applicant's claims 9-13. Specifically, Applicant notes that Krasner does not disclose storing a one millisecond segment of the GPS signal in a memory and converting the stored GPS signal to the frequency domain. As described by Krasner at step 110 of FIG. 3, Krasner first sums N consecutive PN frames, where N is typically 10. The resulting sum of the N consecutive frames is then subjected to an FFT process to produce a frequency domain representation. See col. 12, lines 41-50 and FIGS. 4A and 4B of Krasner. As thus described, Krasner performs an FFT calculation on an averaged frame, not a stored one millisecond segment of the GPS signal. For at least this reason, Applicant submits that Krasner does not disclose all of the claimed features of Applicant's claim 9. The anticipation rejection is therefore traversed. As claims 10-13 are dependent on independent claim 9 and incorporate all of the features of claim 9, Applicant also submits that the rejection of claims 10-13 are also traversed for at least the reason stated above.

Rejection Under 35 U.S.C. §103

At paragraph 7 of the Office Action, the Examiner rejected claims 1-20 as being unpatentable over Krasner in view of U.S. Patent No. 5,912,558 to Halamek et al. ("Halamek").

Applicants first note that claims 1-5 have been canceled without prejudice or disclaimer. The rejection of claims 1-5 is therefore rendered moot.

With respect to claim 6, the Examiner noted that Krasner shows all of the claimed features except for a "means for determining the carrier frequency based on the height of the

peak." Halamek was therefore introduced to make up for this deficiency of Krasner. Even assuming that Halamek discloses all that the Examiner alleges, Applicant submits that the Examiner has not established a *prima facie* case of obviousness.

In the rejection, the Examiner relied on the process illustrated in FIG. 3 of Krasner. Applicant submits that Krasner does not disclose means for segmenting a stored GPS signal into a plurality of segments, each segment one millisecond in duration and an FFT process to perform an FFT on each segment. As described by Krasner at step 110 of FIG. 3, Krasner first sums N consecutive PN frames, where N is typically 10. The resulting sum of the N consecutive frames is then subjected to an FFT process to produce a frequency domain representation. See col. 12, lines 41-50 and FIGS. 4A and 4B of Krasner. As thus described, Krasner performs an FFT calculation on an averaged frame, not on each individual one millisecond segment of the GPS signal. For at least this reason, Applicant submits that the Examiner has not established a *prima facie* case of obviousness. The obviousness rejection of claim 6 is therefore traversed. As claims 7 and 8 are dependent on independent claim 6 and incorporate all of the features of claim 6, Applicant also submits that the rejection of claims 7 and 8 are similarly traversed for at least the reasons stated above.

With respect to claims 14-20[1], the Examiner appears to state that Krasner does not teach "determining the carrier frequency using the located peaks." Halamek was therefore introduced to make up for this deficiency of Krasner. Even assuming that Halamek discloses all that the Examiner alleges, Applicant submits that the Examiner has not established a *prima facie* case of obviousness with respect to claim 14.

In the rejection, the Examiner relied on the process illustrated in FIG. 3 of Krasner. Applicant submits that Krasner does not disclose partitioning the collected composite into one millisecond segments and converting each one millisecond segment to the frequency domain. As described by Krasner at step 110 of FIG. 3, Krasner first sums N consecutive PN frames, where N is typically 10. The resulting sum of the N consecutive frames is then subjected to an FFT

---

[1] In the rejection under 35 U.S.C. §103, the Examiner also referred to claims 9-13 while discussing the rejection of claims 14-20. Since claims 9-13 did not appear to be specifically referenced in the obviousness rejection and since an obviousness rejection would be inconsistent with the rejection under 35 U.S.C. §102 for the same claims, Applicant assumes in this response that claims 9-13 were not actually rejected under 35 U.S.C. §103. Thus, this portion of the response only address the sufficiency of the obviousness rejection as to claims 14-20.
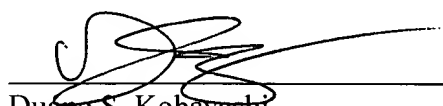
process to produce a frequency domain representation. See col. 12, lines 41-50 and FIGS. 4A and 4B of Krasner. As thus described, Krasner performs an FFT calculation on an averaged frame, not on each individual one millisecond segment of the GPS signal. For at least this reason, Applicant submits that the Examiner has not established a *prima* facie case of obviousness. The obviousness rejection of claim 14 is therefore traversed. As claims 15-20 are dependent on independent claim 14 and incorporate all of the features of claim 14, Applicant also submits that the rejection of claims 15-20 are similarly traversed for at least the reasons stated above.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections, and that they be withdrawn. The Examiner is invited to telephone the undersigned representative if an interview might be useful for any reason.

Respectfully submitted,

Dated: 10|15|03   By:
                                        Duane S. Kobayashi

Law Office of Duane S. Kobayashi   Reg. No. 41122
1325 Murray Downs Way
Reston, VA 20194
Tel: 703-464-7902
Fax: 703-935-0276